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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/699,609	10/30/2000	Raymond Krasinski	US000284	6797

24737 7590 01/22/2004

PHILIPS INTELLECTUAL PROPERTY & STANDARDS  
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BRIARCLIFF MANOR, NY 10510

EXAMINER

KINDRED, ALFORD W

ART UNIT	PAPER NUMBER
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2172

DATE MAILED: 01/22/2004

14

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/699,609

Applicant(s)

KRASINSKI, RAYMOND

Examiner

Alford W. Kindred

Art Unit

2172

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 13 November 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. §§ 119 and 120**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_ 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

1. This action is responsive to communications: Appeal Brief, filed on 11/13/03.

***Claim Rejections - 35 USC § 112***

2. Claims 1, 11, and 18-21 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. The language "said document before and after the compressing step is in a given file format", cannot be enabled since the compressing of data, in itself, is the changing of a particular format. Applicant indicates in the specification that the term "format" refers to a hierarchical structure and if that is the case, some clarification is needed in the claim language as oppose to the general term "format."

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

4. Claims 1-6, 9-15, and 18-21 are rejected under 35 U.S.C. 102(e) as being anticipated by Hind et al., US# 6,635,088 B1.

As per claims 1-2, Hind et al. teaches "identifying said data elements in said document; compressing only said data elements in said document using a compression algorithm" (see col. 13, lines 20-49, whereas Hind's tag compression is clearly not compressed to the point where the tag is not recognizable, but the data elements are completely compressed. Therefore the tag elements are readable for the identification of certain parts of a compressed document as illustrated in applicant's claim language and arguments).

As per claims 3-4, Hind et al. teaches "inserts said identifier in a root node tag element" (see fig. 54-sheet 7 of 11).

As per claims 5-6, Hind et al. teaches "transmitting said compressed document" (see col. 13, lines 49-67).

As per claims 9-10, Hind et al. teaches "XML document" (see col. 14, lines 1-37).

As per claims 11-15, these claims are rejected on grounds corresponding to the arguments given above for rejected claims 1-6 and are similarly rejected.

As per claims 18-21, these claims are rejected on grounds corresponding to the arguments given above for rejected claims 1-3 and are similarly rejected.

### ***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 7-8 and 16-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hind et al. in view of Dietz, US# 6,175,820 B1.

As per claims 7-8, Hind et al. does not teach "generated in real-time by a speech recognition system." Dietz teaches "generated in real-time by a speech recognition system" (see abstract). It would have been obvious to one of ordinary skill in the art at the time of the invention for one of ordinary skill in the art to have combined the teachings of Hind with Dietz above, because using the steps of "generated in real-time by a speech recognition system" would have given those skilled in the art the tools to convert human noise into text data corresponding to the noise. This gives users the users the ability to speak words or phrases into an electronic device and have those corresponding words and phrases converted to text data on an electronic screen.

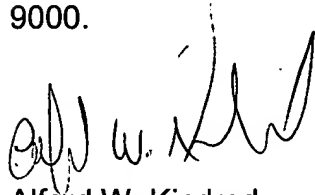
As per claims 16-17, these claims are rejected on grounds corresponding to the arguments given above for rejected claims 7-8 and are similarly rejected.

***Conclusion***

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alford W. Kindred whose telephone number is 703-305-3802. The examiner can normally be reached on Mon-Fri 9:00 am- 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Klm Vu can be reached on (703) 305-4393. The fax phone number for the organization where this application or proceeding is assigned is (703)746-7239.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-9000.



Alford W. Kindred  
Patent Examiner  
Tech Ctr. 2100